

REMARKS/ARGUMENTS

Claims 11 - 19 are pending in the present application. Claim 16 was amended in accordance with the suggestions of the examiner; claim 20 was canceled as requested by the examiner without waiver or estoppel; and no claims were added. Reconsideration of the claims is respectfully requested.

I. Claim Objection

The Examiner has objected to the claims 15 and 16 for improper numbering and, accordingly, has renumbered the claims as 16 and 17. Applicant thanks the examiner for his diligence and appreciates the courtesy of renumbering the claims.

II. 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claim 16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention and has suggested an amendment to overcome the rejection. That suggestion has been incorporated into the offending claim and, therefore, the rejection is now moot in view of the amendment.

III. 35 U.S.C. § 102, Anticipation

The Examiner has rejected claim 11 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,774,434 (the '434 patent) to Hueting et al. (filed November 12, 2002). Applicant asserts that this patent does not qualify as prior art and therefore cannot provide the basis for a rejection under any subsection of 35 U.S.C. § 102. This rejection is respectfully traversed.

The present application claims priority to September 17, 2002, thereby disqualifying the '434 patent as proper prior art against the present U. S. patent application.

In an interview conducted on November 09, 2004, the Examiner conceded that the '434 patent is not available as proper prior art and would be withdrawn upon the receipt of this response.

Therefore, the rejection of claim 11 under 35 U.S.C. § 102 has been overcome.

IV. 35 U.S.C. § 103, Obviousness

The Examiner has rejected claims 12 – 14 and 15 - 17 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,774,434 (the '434 patent) to Huetting et al. (filed November 12, 2002) in view of some combinations of other references. This rejection is respectfully traversed for the reasons stated above in paragraph No. III.

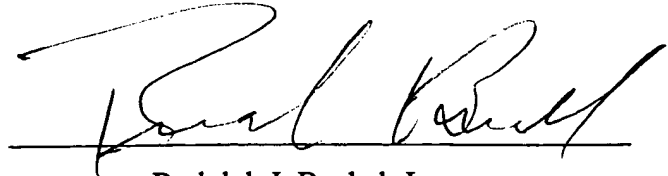
Therefore, the rejection of claims 12 - 17 under 35 U.S.C. § 103 has been overcome.

VII. Conclusion

It is respectfully urged that the subject application is patentable over any combination for reference which includes U.S. Patent No. 6,774,434 to Hueting et al. and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rudolph J. Buchel, Jr.', written over a horizontal line.

DATE: December 22, 2004

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